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5 UNITED STATES DISTRICT COURT
6 EASTERN DISTRICT OF WASHINGTON

7 UNITED STATES OF AMERICA,
8 Plaintiff,

9 -vs-

10 KENNETH DALE GOOCH,
11 Defendant.

NOS. CR-04-0262-WFN-1

ORDER

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13 A post-trial motion hearing was held November 14, 2006. The Defendant, who is in
14 custody, was present and represented by Bryan Whitaker; Assistant United States Attorney
15 Jared Kimball represented the Government.

16 The Court addressed Defendant's Motion for New Trial and oral motion to continue
17 sentencing hearing. The Court has reviewed the file and Defendant's Motion for New Trial
18 and is fully informed. This Order is entered to memorialize and supplement the oral rulings
19 of the Court. Accordingly,

20 **IT IS ORDERED** that:

- 21 1. Defendant's oral motion to continue sentencing hearing is **GRANTED**.
22 2. The sentencing hearing set for November 20, 2006, is **STRICKEN and RESET**
23 **to December 13, 2006, at 9:30 a.m., in Spokane, Washington.**

24 (a) Any memorandum or motion regarding sentencing must be filed and served
25 no later than **November 22, 2006**.

26 (b) Responses, if any, shall be filed and served no later than **November 29, 2006**.

4. For the reasons stated on the record, Defendant's Motion for New Trial, filed March 29, 2006, **Ct. Rec. 193**, and Amended Motion for New Trial, filed October 19, 2006, **Ct. Rec. 257**, are **DENIED**. The interests of justice do not require a new trial.

4. For the reasons stated on the record, Defendant's Motion for New Trial, filed March 29, 2006, **Ct. Rec. 193**, and Amended Motion for New Trial, filed October 19, 2006, **Ct. Rec. 257**, are **DENIED**. The interests of justice do not require a new trial.

The District Court Executive is directed to file this Order and provide copies to counsel
AND TO United States Probation Officer Alvin Barrett, Jr.

DATED this 14th day of November, 2006.

s/ Wm. Fremming Nielsen
WM. FREMMING NIELSEN
SENIOR UNITED STATES DISTRICT JUDGE